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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,060	06/06/2001	Masanori Toyofuku	209241US0	5644

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EXAMINER

SERGEANT, RABON A

ART UNIT	PAPER NUMBER
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1711

7

DATE MAILED: 04/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents


The reply filed on January 28, 2002 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Despite applicants' arguments, the amendments to the language of claim 1 fail to address the issue raised by the examiner pertaining to the language of claim 1 wherein the claim language regarding "n" and the oxyethylene group contents appear to refer back to the polyoxyethylene polyol having at least 3 hydroxyl groups. In other words, applicants' amendment has failed to address the basic ambiguity of the claim. The claim language must clearly differentiate between the mixture and the individual polyol. Merely inserting "mixture" within the claim is insufficient to clarify the claim. It is noted that individual polyols are often referred to as having "average" properties; therefore, the reference to "average" is not sufficient to clearly indicate that the mixture is being referred to by the language. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Furthermore, the substitution of "substantially" with "essentially" raises issues under 35 U.S.C. 112, first and second paragraphs. It is unclear where support or definition exists for the amendment. Additionally, it is unclear how "essentially" is to modify "non-porous". It is questioned if "polyol" within line 5 of claim 1 should be plural. Lastly, the bases of the weight percents must be specified.

Any inquiry concerning this communication should be directed to R. Sergent at telephone number (703) 308-2982.

R. Sergent

April 7, 2002

  
RABON SERGENT  
PRIMARY EXAMINER